

Writer's Direct Dial:

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MEMO ENDORSED

February 13, 2020

**VIA ECF
AND FAILLA_NYSDCHAMBERS@NYSD.USCOURTS.GOV**

Hon. Katherine Polk Failla, U.S.D.J.
United States District Court for the Southern District of New York
40 Foley Square, Room 2103
New York, New York 10007

**Re: Lynne Boyarsky v. New York University, Civ. A. No. 1:20-cv-00052
Plaintiff's Motion to Remand And Stipulation Withdrawing Claims With
Prejudice**

Dear Judge Failla:

This firm represents Defendant New York University ("NYU") in the above-referenced matter.

We write to respond to Plaintiff's motion to remand the case to the New York State Supreme Court. (See ECF Nos. 9-10). Counsel for the parties conferred, and Plaintiff has agreed to withdraw her claims arising under Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e *et seq.* ("Title VII") with prejudice. Accordingly, the parties submit the attached Stipulation for Your Honor's consideration and approval. Upon entry of the attached Stipulation dismissing Plaintiff's federal claims with prejudice, NYU will not oppose Plaintiff's motion to remand.

We thank Your Honor for consideration of this submission and remain available should any questions arise.

Respectfully submitted,

Mark A. Saloman

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MAS/JSR

cc: All Counsel of Record (via ECF)

WSACTIVE:LLP:11231932.1

The Court is in receipt of Plaintiff's motion to remand this case to the New York State Supreme Court (Dkt. #9); the parties' stipulation dismissing Plaintiff's third cause of action, which was the only federal claim in this case (Dkt. #11-1), which the Court has now ordered; and Defendant's above letter indicating that upon the entry of the stipulation of partial dismissal, that Defendant would not oppose Plaintiff's motion to remand. (Dkt. #11). This case now contains no federal claims.

Accordingly, it is hereby ORDERED that this case be REMANDED back to New York State Supreme Court.

Dated: February 14, 2020
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE